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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: **Yoshikazu TAKEDA et al.**

Group Art Unit: **2813**

Application Number: **10/539,635**

Examiner: **Tranhha S. Pham**

Filed: **June 16, 2005**

Confirmation Number: **8622**

For: **SEMICONDUCTOR MULTI-LAYERED STRUCTURE WITH NON-  
UNIFORM QUANTUM DOTS, AND LIGHT EMITTING DIODE,  
SEMICONDUCTOR LASER DIODE AND SEMICONDUCTOR  
LIGHT AMPLIFIER USING THE SAME AS WELL AS METHOD OF  
MAKING THEM**

Attorney Docket Number: **052712**

Customer Number: **38834**

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

August 20, 2007

Sir:

This paper is submitted in response to the Official Action dated July 25, 2007.

In the Action, restriction is required between Group I (Claims 1, 2, 4-9, 12-15, 18-20, 23 and 24) and Group II (Claims 25-30).

Applicants hereby elect the subject matter of Group I (Claims 1, 2, 4-9, 12-15, 18-20, 23 and 24) for prosecution in this application. This election is made with traverse.

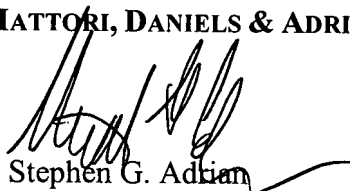
The standard of unity of invention applies to the present application because claims 25-30 are related in that they recite non-uniform quantum dots in a semiconductor multilayered structure. Accordingly, the present claims satisfy the technical relationship involving one or more of the same or corresponding special technical features. See 37 CFR §1.475(b).

Response to Restriction Requirement  
Application No. 10/539,635  
Attorney Docket No. 052712

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

A handwritten signature in black ink, appearing to read 'Stephen G. Adrian', is written over the printed name.

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